Government and Law

and gradually reforming matters, were working towards punishing them in the same manner as theft within the tribe.

The fights between Montenegro and the Turks were usually brought about in this manner. The Montenegrins raided the Turkish borders, especially Herzegovina, till the Turks sent punitive expeditions. All sheep-stealers were considered heroes.

So far as my own experience goes I never had a thing stolen from me when among the Albanian tribes; they dealt honestly by me always.

FINES FOR OTHER MATTERS

In the case of rape the injured family may take blood; or it may compound for peace and accept about £30. The father of an illegitimate child must pay for its keep.

For killing a sheep or cattle a fine of about £2 to £3 per head.

For cutting wood in the forest of others, £2.

For stealing fruit, etc., according to value.

For putting a beast to graze on someone else's pasture, £2.

For putting beasts to graze on your own tribal pasture before the right season, £4.

(The sums given are only approximately taken at the then value of piastres.)

INHERITANCE

No land may be sold or bequeathed to a member of another tribe or any outsider.

The possessor of land can only sell it to his nearest male relative on his father's side.

Women cannot inherit land.

The house and such land as belongs to it is inherited by all a man's sons equally. As a matter of practice they continue living in it, and the eldest son is "zoti i shpis" (house-lord). I have seen a young man of twenty-eight years ordering his old uncles about in most peremptory manner. Expressing surprise at the way they obeyed, I was told: "They must—God has made him house-lord."

Failing sons, the property belongs equally to the nearest male relatives of the deceased, who usually would be his brothers. The eldest is then house-lord.

Should a man leave a wife who has had no children, she is of no account, and must leave the house and return to her father's house. Should she have a son under the age of fifteen she remains to mind the house till he inherits it. Till he is fifteen a guardian takes charge of his affairs. At fifteen he is of age and can carry arms. If the widow has

4: Garnett B-4, 5 (ca. 1880) 1891
EG1 Albania EG1

CHAPTER IX.

ALBANIAN WOMEN: THEIR FAMILY CEREMONIES.

562 184 THE domestic usages of the Albanians vary slightly, according to locality and religion, but are, in their main features, identical. And though the customs surrounding such family ceremonies as births, marriages, and deaths belong naturally more to the domain of women than of men, the latter are not less scrupulous in the fulfilment of the part in these observances which fall to their share.

156 181 Tribal and family pride being, as has been already seen, the leading feature of Albanian character, the desire of offspring, and especially male offspring, is naturally very strong with them. A childless man [554] is designated by an expression which signifies "without a root," and is looked upon as a most unfortunate [754] being. The wish, "May you be childless!" is also considered the most weighty curse that can be launched against a man by his enemy. As mentioned in the previous chapter, the dearest wish of every woman's heart is consequently to be the mother of a numerous family of boys, both for the sake of the future prosperity of the tribe and for the present social consideration which their birth ensures to her.

843 When the fact that an Albanian woman is about to

4: Garnett B-4, 5 (ca. 1880) 1891
EG1 Albania EG1

553 852 [779] belong. With the Moslems no religious character is attached to giving the baby a name, the eldest male relative of the family fulfilling this duty for its youngest member. If, however, the child is a boy, the curious and interesting ceremony of cutting its hair is performed when it is a week old. The father [608 171] invites to fulfil this office for his child the man he most esteems, be he Moslem or Christian, and a bond of friendship is thus formed, called "the St. Nikolo," similar in its character to the *pobratim* of the Slavs, or the ἀδελφοποιτὸς of the Greeks, and also partaking in its assumed relationship of the nature of the tie between a Greek *Nono* and the family of his god-child;[1] he is considered a near relative, and may enter the women's apartments. This substitute for a [302] godfather cuts off, with a pair of scissors, some of the baby's hair in the form of a tonsure, and puts the lock, together with some coins, in a purse which is kept closed for three days. At the end of that period the money is taken out, and the hair thrown into the fire.

A similar practice is observed by the Roman Catholic Miridites on the first anniversary of a boy's birth, but it is performed under the auspices of St. Giovanni, instead of those of St. Nikolo.[2]

581 554 Although the Albanian beys have neither written charters, armorial bearings, nor insignia, matrimonial alliances between their families are regulated with the most rigid observance of rank and precedence.

[1] See *The Christian Women*, p. 72.

[2] The Roman Catholic priests do their best to discourage many of these ancient customs, the efforts of their Church never tending to stimulate national feeling, but rather to crush it entirely. [779 177]

7: Amery G-5 (1943-44) 1948 EG1 Albania EG1

Women among the clans were but the slaves and chattels of their men. In the mountains they went unveiled but almost all were prematurely aged by manual labour and child-bearing. Sometimes we saw one hurrying across a courtyard or peering up at us from the kitchen fire; otherwise they had no part in our lives.

Social distinctions among the guerillas were subtle and changing; the chieftains and their sons were treated with respect but never with servility; and the bodyguards sometimes as poor relations but always as members of the same family. They ate and slept together, and, in so far as he could, the host provided alike for all. Luxuries in the mountains were inevitably scarce, but, if the choicest morsels went to the *Beys* and elders, the rest received their portion until the whole was finished. The Ghegs indeed regard hospitality as a sacred duty enjoined upon the host, never as a favour conferred upon the guest. To give of his best was a point of honour, and a tribesman would kill his last ewe lamb, or even his milch goat, rather than fail to set meat before the meanest of his guests. In the days of slavery Albanians had been known to sell their wives or children to feast a stranger; and one story which I heard illustrates the extent of their honourable, if quixotic, liberality. In the repression which followed the rising of the Scutari clans early in the last century the bravest of the insurgent leaders, a Catholic chieftain, was captured and brought before the Turkish governor. The Pasha gave the order to cut off his head but, as the proud Albanian knelt to receive the fatal stroke, the Turk was moved by a dark and sudden curiosity:

"You are a brave man," he said. "Tell me, have you ever known a worse moment than this?"

The Albanian looked up and answered gravely: "Only once; when a stranger came to my house and I had not even bread to set before him."

For the sake of the answer, his life was spared.

We spent several days among the men of Mati, resting in sunlit orchards, or cool, whitewashed rooms, or round their

[Constitution]

641 No privilege because of family, position in life, wealth,
554 or cultural level is recognized.

ARTICLE 13

[563] All citizens are equal regardless of nationality, race, or
[659] religion. Any act which grants privileges or takes away rights from any citizen because of nationality, race, or religion is unconstitutional and carries with it punishments as provided by law. It is unconstitutional and punishable by law to stir up hatred and dissension among nationalities, races, or religions.

ARTICLE 14

666 All citizens who have reached the age of eighteen are
641 eligible to elect and be elected in all organs of state, regardless of sex, nationality, race, creed, cultural level, or residence.

Members of the armed forces also have these rights.

The right to vote is universal, equal, direct, and secret.

The right to vote is forfeited by those who have been disqualified by law.

ARTICLE 15

562 Women are equal to men in all walks of life, private, political, or social.

Women shall receive the same pay as men for the same work. And women have similar rights with regard to social security.

745 The government especially protects the interests of mothers and young children, by assuring vacations with pay before and after childbirth and also by building maternity hospitals and nurseries.

ARTICLE 16

659 Freedom of conscience and religion is guaranteed to all citizens.

The church is separated from the state.

Religious communities are free to exercise and practice their creeds.

10: Hasluck F-5 (1926-1939)1954 EG1 Albania EG1

his case. Since 1912 most of this administrative and penal legislation has been superseded of set purpose by European methods and laws, whereas the social content of the old mountain code has been left comparatively undisturbed, free to come into line with the ways of the West in its own time.

The community sense was fostered by every art the mountaineers knew. Each member of a household was encouraged to regard everything in it and everything its other members said and did as his own. The humblest man was encouraged to regard his village or group of villages as his personal property. If home, village or group of villages prospered, he rejoiced as if he had himself been advanced. If they were insulted or injured, he burned to avenge a personal affront. If they were disgraced by misconduct on the part of another member, he felt his own honour to be smirched. The patriotism so bred was narrow, perhaps, but it was genuine, free from egregious self-seeking, and by its emphasis on the need to keep the community's honour untarnished, a good deterrent from crime.

This close relationship between individual and community was also a curb on dictatorship. The ruling rank had always to respect the individual's property in the community's laws. They could not make any change in an existing law unless they obtained the consent of a General Assembly of their village or tribe. They could impose, but (except in the tribes which maintained fine-collectors) they could not collect fines; social pressure was necessary for that. In a very common punishment, social ostracism, they might play no more than a subordinate part. They could not pass heavy sentences like banishment or death unless a General Assembly demanded them, and if it did, they could not resist its will. In short, the elders voiced, but did not dictate, popular sentiment.

They were no privileged oligarchy either. They might sit in the seat of honour or get the lamb's head and eye at a banquet, but they had no official residences, horses or guards of honour provided for them at public expense. They lived in houses that were often meaner than those of their subordinates; they ate the same food and toiled in the same way in their fields and among their flocks. In fact, the self-government of the Albanian mountaineers went far towards being true democracy in the Anglo-American sense of that much-abused word. In its primitive way it was really government of the People, by the People, for the People. It had

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

it was the offender's birthright to remain in the house, to eat at the common table, and to have his wife and children maintained out of the family purse. A striking illustration of this weakness of the communal system was to be seen in Shalë in the 1930's, when Mirash Nue's family included his wife, his elder son Pal, Pal's wife and four children, and his younger son Gjon. Since he, Mirash, was too old to work and Pal was a wastrel, Gjon alone ploughed to feed the household and fetched firewood to keep it warm. To get money for government taxes and his father's coffee and cigarettes, he worked for the priest in his spare time. He had been unable to earn enough to pay for a bride and at thirty years of age was still unmarried, a calamity in primitive Albanian eyes. Pal, not criminal, just lazy and selfish, and saved from beating by his father's advanced years and his own age, paid no attention to either his father's upbraidings or the barely concealed contempt of the neighbours and turned up unfailingly for the meals he had done nothing to provide.

The master received no money payments for his services but enjoyed certain privileges. His clothes were often newer and of better cloth than those of his subordinates; more silver chains crossed his breast, and more silver rings glittered on his fingers. He was entitled to have his own bedding and coffee utensils and to keep them until he died. If he chose to buy himself a riding horse, a watch, or arms richly inlaid with silver and bright stones, he might do so. His subordinates, though left to walk while he rode, to learn the time from the sun by day and from the crowing of a cock at night, and to content themselves with the plainest of rifles and revolvers, did not seem to resent his magnificence. He represented the family, and the worthier he appeared in externals as well as in mind and character, the greater the glory reflected on each of them.

Indoors the master sat in the place of honour in the sitting-room, the right-hand chimney corner as one looked from the fireplace towards the door. Though marked deference was usually shown to old people, he never gave up this place to his aged father or elder brother except in the districts of Shpat, Çermenikë and Shalë, where age took precedence over social position. The other men grouped themselves cross-legged in front of the fire, the future master facing it squarely, older men flanking him, and younger men sitting behind him. The youngest of all, who had to do such work as shutting the door, bringing firewood, and carrying in supper, sat next to the door; he was described as the serving man. When

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

popularly believed in Shkrel that the three sons of Vatë Marashi, the bajraktar, and the three daughters of the Voivode Preng Mirashi, had turned out badly because the deeds of Vatë and Preng had been evil.

In time of war a bajraktar from the north-west group received triple pay and triple rations. A bajraktar of Shalë received double pay and double rations, one portion as a person and the other as standard-bearer. He also received pay and rations for three servants, two of whom followed him to the war both to guard and to serve him, while the third, a specially trusted man, remained behind in his house in Shalë as guardian of his property, women-folk and children. The allowances for these servants were only what ordinary soldiers received, food and *katik* (pocket-money: in Turkish, any relish eaten with bread) at the rate of one grosh per day, which was barely sufficient for their tobacco.

As an administrator a bajraktar was unpaid in so far as he had no fixed salary. He earned something, however, by his judgements, for which he was paid at the same rate as an elder. In the Malësi e Madhe, as often as he appointed elders, he too received a fee, although they did all the work and he did not stir from home. If they could not agree on a verdict, the litigants appealed to him. He then received a double fee, one the same as the elders' and the other in respect of his own journey to the scene of the quarrel. In other tribes or groups of tribes he did not get off so lightly; he had always to judge the case himself before he received any payment. The fees varied with the importance of the case and the rapacity of the bajraktar. In the tribal, but not in the non-tribal, areas any fines imposed were divided between the bajraktar and the headmen or 'good families' of his tribe. In the Malësi e Madhe a bajraktar who was summoned to Shkodër received ten grosh (50 koronë) per day from the Turkish government for his expenses. But everywhere a bajraktar's best source of income was bribes.

The bajraktar was both the military and administrative head of his tribe. His military and administrative precedence came 'from the staff in his hand', the flag stick of Turkish donation, but descent was the test for social precedence, and priority of descent was not always his. In many tribes there were 'good families' who descended from an older brother or a social superior of his ancestor, and on that account had, generation after generation, taken social precedence of his family.

10:Hasluck F-5 (1926-1939)1954 EGl Albania EGl

554 Modern civilization with its army and dense array of gendarmes
[701] and officials swept away the military and administrative functions of the bajraktar, but his social position remained untouched. So in Krasniqë, Sali Mena, the bajraktar in 1939, had the precedence because he descended from the eldest son of Gjô Vata of the village of Bunjaj; but Hakik Meta, the bajraktar of Lurë, remained inferior to Doçi, Nezhë and Vlad families in that tribe because their ancestors were from better families than his.

576 Social precedence was marked in several characteristically
554 Albanian ways. For instance, if the bajraktar of Perlat in Kthellë met a Simonaj and a Gjet-Kolaj at a feast, his seat would be third from the corner and his portion of meat only the leg. The Simonaj would sit in the corner and get the head and the Gjet-Kolaj would sit next to him and get the shoulder. Even in wartime a bajraktar was kept in his civilian place except during the actual fighting. On the way to and from the battlefield he sat in the seat and ate the portion of meat that appertained to him by descent. In 1935 Lurë was mustered to check a revolt at Fier in central Albania. The bajraktar's men carried the flag out of Lurë into Mat, and by arrangement met Zef Doçi's men at Burrel in Mat. There, though both were on a warlike errand, Zef Doçi sat in the chief seat and the bajraktar and his flag in the fourth. The revolt was suppressed before the tribesmen advanced beyond Burrel. If they had gone on, rifles would have cracked at Fier before Zef Doçi had to yield
[619] the first place to the bajraktar. If one of the bajraktars of Kthellë found it necessary to discuss something with one of the six 'good families', he could not ask its head to come and see him as he would an ordinary tribesman. Instead, he must gird up his own loins and go and see the other. If they disagreed during the discussion, he could not persist in his own view but had to fall in with the other's. Trivial though this insistence on correct precedence and its manifestations may seem, it had its value in maintaining tribal discipline. Slackening of the social framework in communities so backward as these tribesmen would only have ended in anarchy.

The 'first families' excepted, the bajraktar was unquestioned first among the tribesmen, this being signified in the usual manner of corner seat and choicest portion of meat. Any male of his family old enough to walk enjoyed the same precedence and was, by the courteous and diplomatic, addressed as 'bajraktar'.

10: Hasluck F-5 (1926-1939)1954 EGI Albania EGI

A 'bajraktar' of tender years could evict a greybeard commoner from the corner seat, and the greybeard would be distressed if left in it. A worthless and ignorant 'bajraktar' got the head of the roast lamb while successful and learned commoners had no precedence by right—they belonged to their father's tribe and were counted aliens in the bajraktar's. Sometimes, however, the tribesmen gave them precedence as a courtesy.

When a bajraktar or any male in his family, infants excepted, died in his bed, a black flag was stuck at the head of his grave to mark his rank during life. Otherwise he and his were treated in death like ordinary mortals. If he himself was murdered, the ensuing blood feud was no worse than it would have been for a commoner—Lek had laid down that in death one man was as good as another. Besides, another bajraktar succeeded him and with the office continuing, the personality of the holder had no special significance. His family alone had to show a sense of his unusual importance; it could not stain its honour by accepting blood money instead of killing the assassin. If a bajraktar was killed by somebody in another tribe, his tribe undertook to hunt down the assassin, but this was no more than it would have done for any tribesman dead in comparable circumstances. Conversely, when a bajraktar killed anyone, his victim's family sought his blood precisely as they would have sought a commoner's.

As between bajraktars, seniority of the ancestor's appointment determined precedence. Gjejaj of Dukaj, the first bajraktar in Perlat, lived long before there was a bajraktar of Rrshen. His modern representative was, as already said above, so weak that Perlat had abandoned him to follow the Rrshen man's leadership. Yet in everything social, by virtue of his ancestor's seniority, he walked ahead of his supplanter. Once, however, a Kthellë tribesman entertained all three bajraktars of his tribe together. There is no record of how he seated them, but when the roast lamb appeared, he split the head in two, gave the two halves to two of the bajraktars and a shoulder to the third. Half a head being reasonably equated to a shoulder, he thus gave equal honour to all three men and did justice both to descent and to strength.

When a bajraktar encountered a beg, as a bey is called in north Albania, the latter sat in the corner because a beg is bigger than a bajraktar. When bajraktar and agha met, the bajraktar sat in the corner. Such a meeting was rare in the north owing to the paucity

10:Hasluck F-5 (1926-1939)1954 EGl Albania EGl

554 of aghas. The title of agha was a courtesy title bestowed by the
576 populace. By special provision of the Turkish Government there had been hereditary aghas since the Turkish conquest at Botush in Yugoslav Kosovë; these, says their representative in Albania, took precedence of all bajraktars in Albania and Kosovë.

578 Given the pride of a bajraktar in his standard and of a 'first
668 family' in its descent, a clash between the two was not uncommon. When this took the form of an ordinary isolated quarrel, elders were called in from another tribe to judge between the disputants. Their own tribe did not venture to try the issue, knowing that it might suffer, as outside elders could not do, for an unwelcome judgement. If the elders failed to effect a settlement, shooting began between the parties, both bajraktar and 'first family' being followed by his own kin. A man related to both followed the one to whom he was more nearly related; this at least in theory. In practice they often showed a naive sense of which side their bread was buttered and joined the disputant with the stronger following.

628 Sometimes a long struggle for precedence developed between
662a 'first family' tenacious of its ancient privileges and an ambitious
578 bajraktar. In Lurë, for instance, both the Catholic Zef Doçi of Lurë e Vjetër (Old Lurë) and the Mohammedan Ibrahim Gjoçi of Kreje had long been rivals of the Mohammedan bajraktar Hakik Aliu Meta. In 1926 Gjoçi had the largest following, because he maintained the tribe with surpassing generosity. Within a decade he ate himself out of house and home, and then lost nearly all his power, retaining only the tribesmen's affection and respect for his past benefits. He therefore ceased to hamper the ambitions of the bajraktar. Zef Doçi, the 'first family' in the whole tribe, was a more obstinate rival, as his power rested less on his lavish doles than on his descent and personal wisdom. Ancestor after ancestor had been 'captains' in Turkish times, whereas Gjoçi and Meta had never been 'captains' till created by King Zog. The bajraktar began by undermining Doçi's position with traditional doles. He sent sheep to the poor at every festival and went guarantee for them in the shops during crises such as weddings and burials. 'So they all follow me now', he told the visitor with disarming simplicity. He had resorted to direct action, seizing every chance to kill off the guns in Doçi's family. In 1933 some brigands, who had killed one of Llesh Doçi's men, were harboured in a mountain sheepfold by the bajraktar's shepherds. Together with Zef and other relatives,

10:Hasluck F-5 (1926-1939)1954 EG1 Albania EG1

of Turkish rule these were the famous law-givers Dedë Lleshi and Likë Gjegjaj. Again, when Per Dedë Ndoj was senior headman of the village of Gojan in Mirditë, he took the lead in publicly executing a man of his own kin, Buçaj, for murdering a guest who belonged to the Martinaj kin in the same village. The story is related by Father Gjeçov.

This fifth type was the recognized superior of the sixth, the body of men who were unitedly called 'village elders'. These consisted of all the brotherhood and kin elders in the village as well as the village elder himself. For instance, in the district of Kurbin there were sixteen villages, each of which had its 'head (or village) elder'. But according to a document published on p. 129 of Father Gjeçov's book there were altogether forty-five elders in Kurbin. Besides the sixteen 'head elders' there were twenty-nine ordinary 'village elders', some of them kin elders and some brotherhood elders. In Mirditë these village elders were known as 'canon elders', because it was their business to see that the law was respected and applied. To avoid confusion between the single village elder and the body of village elders these will henceforth be alluded to as canon elders.

The document mentioned by Father Gjeçov introduces us to the seventh type, a personage styled 'chief elder'. In the document he was chief of the 'forty-five elders of the region of Krujë' (i.e. Kurbin). There is no explicit information of how his position came to this man or whether it was hereditary in his family. It can only be inferred that as he was a Përvizi of Skuraj, and this family led Kurbin, the position was hereditary and a tribute to the outstanding strength of his family. In so large an area as Kurbin there could not be any question of all the villages being related by blood and owning allegiance to Përvizi as the descendant, master after master, of the master of the ancestral household. In other districts where a chief elder existed, it may be assumed similarly that he owed his position to the personal qualities of his family rather than to its descent.

Some other kinds of elder were found, both among the southern tribes and elsewhere, but it will be easier to understand their position after the characteristics and functions which were common to the elders have been elucidated.

Viewed as a human being, an elder was an ordinary man without privileges other than the corner seat, head of the roasted animal

[of elder -- i.e., the senior headman -- Analyst]

[Cf. cat. 116, pp. 12-15 -- Analyst]

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

and first cup of coffee, which were offered to any man of standing. 554
He lived in the same style as the rest of his social unit and was their equal in the eyes of the law. The latter point was clearer in the old days. If he were killed an ordinary blood feud ensued; if this was compounded, the price of his blood was no higher than an ordinary man's. If he killed someone, his life was forfeit in the usual manner to his victim's family. If he committed a crime against the community, he was liable to the usual punishments for such a crime and could be asked to give the community a rifle or other recognized article as security for his good behaviour in future. He had also the same social obligations as humbler tribesmen. These included serving in the tribal 'army', feeding the tribal 'youth', doing forced labour for the government, sharing communal labour for the village, and subscribing to public objects like buying an extra piece of communal pasturage or forest. He had also, like common men, to do military service and work annually without payment for a short period on the roads.

As a legal personage, however, an elder was on a higher footing 693
than ordinary tribesmen. If, for instance, a village elder were to 622
witness an oath in a case grave enough to require twenty-four 613
jurors, his single person counted as the twelve jurors who were left unspecified by the judging elder. Another elder did not count as high, for a village elder ranked higher than a kin elder, and the latter higher than a brotherhood elder. An elder's duties were twofold, administrative and legal. The former were an expansion of the master's, for he had to take the same fatherly care of his brotherhood, kin or village that a master took of his household and had to run it on much the same system. On the external side he had to present its case skilfully to higher authorities and defend it from oppression. Internally he must maintain law and order by checking the chief evils, assassination and damage to property. He had to try to nip quarrels in the bud by persuasive reasoning, arbitrate when they menaced and judge when they developed. He had to lend the weight of his presence not only to the giving of an oath but also to the bequeathing of a legacy to church or mosque, the planting of boundary stones, and (generally) the separation of brothers. The embodiment of the tribal law, he was at once advocate, judge and law-giver.

An elder's age and wealth did not matter to the ordinary 613
members of his social unit, who drew no invidious comparisons 554
622

10:Hasluck F-5 (1926-1939)1954 EGl Albania EGl

between him and themselves on those grounds. Provided he was correctly descended from the master of the ancestral household through a succession of what were conventionally called 'eldest' brothers, and were really the most competent, they accepted him as their elder as unquestioningly as the English nation accepts its king. Sometimes a new elder seemed unfit for his duties. Then the others took him with them when they went to work, and told him how his dead father judged or arbitrated: the most telling and least offensive method of training him.

When a dispute occurred it was the duty of the aggrieved party to inform his brotherhood elder first of all. When he did so and the matter was trifling and lay between two members of his brotherhood, this elder judged the case out of hand. If the disputants belonged to different brotherhoods, he consulted with the elder of the second brotherhood. When the case was graver he carried it to his kin elder, who might judge it straight away or carry it to the village elder. The village elder might in his turn pronounce judgement forthwith or call a General Assembly of the village in order to thrash the matter out in public and get a backing for any decision taken. Often the aggrieved party went straight to the village elder who was accessible to all tribesmen. In that event neither his kin nor his brotherhood had the right to resent the man's going over their heads. Moreover, the village elder's superiority was so well established that no resentment was likely to be felt. In no case was it lawful for an aggrieved man to seek advice from an elder in an outside village before he had consulted one of his own. If a kin elder or the brotherhood elders in the kin oppressed others in the village it was the duty of the village elder to repress them; and he had the right to summon the elders of the other kins in the village, if necessary, to his support. Article 10 in the Convention of Kurbin[1] betrays a strong feeling that there must be no shooting until the village elder has been informed of the dispute and given a chance to settle it by quieter means.

Elders could also act collectively. In the old days no new law could be passed, nor any judgement affecting their social unit be pronounced, unless they were present and gave their approval. When the bajraktar summoned a General Assembly for such important purposes as concluding a truce, trying a serious case or enacting new laws of tribal behaviour, their attendance was

[1] See Appendix, Document XI, p. 271.

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

while he had gone to the ambush by another's instructions he had walked there on his own legs. As the instigator of the crime had broken his promise about paying the blood money, they sentenced him to have his house burned down by the tribe.

On one occasion Lek Dukagjini had come at Skanderbeg's invitation to discuss some blood feuds at a General Assembly of all the tribes in the land. Skanderbeg opposed the principle of 'a life for a life' on the grounds that all men were *not* equal; the blood of a physically fine man was different from that of a poor type. At Lek's suggestion, however, he inquired of his mother, upon oath, what sort of a man his father had been. On learning that he had been a poor type, Skanderbeg at the next Assembly agreed to the principle of equality!

About 1870, when Kolë Prenga the Great was Captain of Mirditë, a jar of butter was stolen from the church house in Orosh during the priest's absence. On his return his servant, who had also been away at the time, informed him of the theft. The priest, a Franciscan, informed the bajraktar of Orosh. The latter convened the tribe (*bajrak*) but no one confessed to the theft. The bajraktar then informed Captain Kola. The captain undertook to track down the culprit, and one day ordered the tribe to assemble on the open space in front of the church at Orosh. In spite of Captain Kola's questions no one came forward to confess to the crime. Then Captain Kola, together with the chiefs of the tribe, sentenced the unknown thief to death and banishment from the tribe; his house, too, was to be destroyed and his land left uncultivated. Not long afterwards the thieves were discovered. They were two young men of Orosh, Prengë Kolë Marku and another whose name has been forgotten. Captain Kolë Prenga the Great again ordered the tribe to assemble, one man from every house, at the church at Orosh. The two young men also came by order to the meeting. Captain Kola read out the sentence that had previously been pronounced. The two thieves were stood in the middle of an open space, unarmed and with their hands folded at the waist. The tribe stood up awaiting the captain's order to fire. But the priest, filled with pity for the culprits, begged the captain, the chiefs and the commoners to grant them their lives. This was done, they paid money to the church for their sacrilege, returned twice the quantity of what they had stolen, paid the usual fine and were expelled from the tribe.

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

CHAPTER XXIV

BLOOD FEUD

III. EXPIATOR AND EXPIATION

In most cases of murder one life only was forfeit to the avenger; 554 682
'one for one' was the formula. This was irrespective of the social standing or the character of the victim. Hence the murder of a standard-bearer (bajraktar) was neither better nor worse than the murder of the least of clansmen, and that of a priest was neither better nor worse than that of a layman.

The formula of 'one for one' was disregarded only in a few cases. 554 * 628 682
In Lumë, a district which prided itself on its 'spirit', 'two for one' was the rule when a man killed his social superior; nothing less would content his victim's injured pride. In most districts a man who suffered the more grievous forms of bereavement, losing his wife, guest or child at a murderer's hands, took double or even triple vengeance. In the Malësi e Madhe the victim's family, if 'strong' with all the pride that the epithet denotes, might kill two of the murderer's relatives if they found them together, though not otherwise. Spiro Toli of Shënjon, near Elbasan, a man as proud as any Lumjan of his 'spirit', felt so degraded when his brother was killed by a hireling at another's bidding, and that hireling a gipsy, that he killed both the instigator and the hireling. Pride, of course, was the ruling motive in every blood feud. By his successful crime the murderer had proved himself the better man, and the victim could not endure this inferiority and was bound to strike back in kind.

The person of the expiator seems to have undergone an historical 628 * 672
development. Long ago, 'blood feuds went by the finger', that is to say, only the actual murderer, the man whose finger had pulled the trigger, was made to expiate his crime. Father Gjeçov aptly compares Deuteronomy xxiv, 16. In modern times the merging of the individual in his family was stressed as in the case of the avenger, and expiation might be made by any male who lived in the same house as the murderer and was in either the actual or classificatory sense his 'father', 'brother' or 'son'.

This rule was subject to several important reservations. The

10:Hasluck F-5 (1926-1939)1954 EGl Albania EGl

562 woman was sometimes shot accidentally in a man's stead in spite of
628 the tabu. In that unhappy event in Kurbin a woman in the
672 murderer's family might be killed in return. If, too, a feud was
784 unusually bitter, as was, for instance, the Kaloshi family one in Dibër, all barriers of law and disgrace were thrown down; 'kill at all costs' was the order of the day, and in its execution women and children were as likely as men to suffer.

This tabu on killing women had several sources. In the first place, a woman was 'a sack for carrying' things, i.e. she was the vehicle by which a family was carried on, and killing her might mean the loss of more than one man to her husband's family. Then she carried no arms, and therefore was classed with old men, children, and lunatics as safe from an avenger. Again, she was
[421] always regarded as an article of property, belonging in her maiden days to her father and afterwards to her husband; her father had the right to her work till she married, and her husband afterwards; in token of this work her father sold her dear, and her husband bought her dear. Articles of property could not be damaged in the course of blood feuds. There was also the feeling that it was a disgrace for a 'strong' man to kill anything so inferior as a woman.

The tabu on killing women was so strong that when one committed a murder, not she but one of the males in the family expiated the crime, if expiation were possible. Murders by women fell into two categories, the first outside and the second inside the family. In both cases the murderess might commit the crime on her own account or butt into a men's quarrel to avenge a murdered relative.

628 One more class of expiator remains to be considered. It some-
672 times happened that a man hired an outsider to kill his enemy. In
[754] the Breg i Matit some held that such a man was a 'witch', and
676 since witches could not have blood feuds, he must go scot-free and his hireling suffer, like any other murderer. In most places, if the instigator could not be discovered, or if time was passing without vengeance being taken on him, the hireling was killed. These practices were exceptional, and in general the feud was credited to the principal rather than to the subordinate who fired the fatal shot.

[554] Vanity as well as justice came into the question, for the instigator was usually a more important person than his instrument, and killing him brought the avenger more glory.

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl
[Laws enacted in Kastrat and Bajzë on Nov. 1, 1892]

Whoever brings pigs or sheep to Shpellë will be fined 50 grosh.
Whoever washes clothes at Shpellë will be fined 50 grosh.[1]

21. A man who leaves his sureties to pay his debt is to pay a fine of 225 grosh to his creditor and 150 grosh to the chiefs and 5 rams.

VI. Supplement dated 1894.

(From Father Gjeçov, *Kanùn*, pp. 124–5.)

1. Whoever takes a woman to live with him without marrying her or runs off with a married woman or a girl shall pay 1000 grosh to the Church, 500 grosh to the chiefs and 10 rams.

2. Whoever tears his face in mourning and lamentation for the dead, shall pay 1000 grosh to the Church, 1000 grosh to the chiefs and 10 rams.

3. Whoever does not permit the chiefs and fine-collectors to carry out a tribal law will be fined 500 grosh and 5 rams.

4. Whoever commits a murder during a truce or after the feud has been compounded will be fined 6 purses and 10 rams.

5. Whoever fires a rifle in a house where there is a wedding shall, whether he be a guest or the master of the house, pay 500 grosh and 5 rams.

The same fine shall be paid by whoever annoys another with abuse at table whether at a dinner or a wedding.

6. Whoever acts contrary to these laws, whether he be chief, fine-collector, or commoner, shall pay 3000 grosh.

Brahim Beg *serxherde*
Kasem Beg *bylikbash*
Dodë Prençi bajraktar
Zenel Shebani
Gjokë Doda
Keq Prela
Zef Gjeka
Prelë Toma
Gjelosh Nika
Vukusa' Leka
Brahim Vuksani

[In front of each of these names there is a Turkish seal.]

VII. Solemn Pledge for Flock and Shepherd in Nikaj and Shalë, St Prende's Day 1894.

(From Father Gjeçov, *Kanùn*, pp. 119–20.)

1. As regards roads it has been enacted as follows:
From the fountain in Faqe to the crucifix in Brazhdë the road is

[1] (Note by Father Gjeçov: Shpellë is the place where Bajzë and district take water.)

2: Durham B-5 (ca. 1910)1928 EG1 Albania EG1
Historical Yugoslavia EF2

H 262 264 562 576

to them. Any women sitting by the roadside when a man passed at once arose and gave humble greeting. Krsto always was very lordly on these occasions. He always ate with me—partly, I think, to convince himself he was not my servant but my equal. Poor Iké fed apart afterwards. Once when he was absent a week I begged her to feed with me, for it was ridiculous to make two meals of it. But the mere idea of doing anything so unseemly distressed her so that she burst into tears and prayed me to excuse her. She said it was a thing that could not be done; it would "shame" me.

H 576 562 554

For a man to wait on a woman was very humiliating. A mounted gendarme, a Bosnian Moslem, was once ordered to escort me in Turkish territory. He had conscientious scruples about obeying a woman. After a midday halt at a "kavana," he hurried down to get the horses ready, leaving his rifle on the balcony. Presently he shouted up to no one in particular, "Give me my rifle." As it was alongside of me I handed it down. His ruse had succeeded, and he cried with childish glee, "She has waited on me! she has waited on me!" Honour was satisfied.

A 554 264

Among the Albanian tribesmen it was considered very degrading to eat with a woman. I remember how a Kastrati man jeered at the Austrian Consul. A poor creature, indeed. He drank coffee and ate meat and bread, and let his wife eat at the same time. A shameless woman! A despicable man. The Kastrati man would not let his wife so misbehave. He would never eat with a woman, not he.

A [186]

It is amusing how often ambassadors, generals, admirals, ministers, and other exalted beings are looked down on with contempt by the native whose respect and admiration they fondly imagine they are arousing.

When I arrived at Vuthaj, a Moslem Albanian village, where they had never before entertained a strange female, there was a very long powwow as to the correct course to pursue. I had gone there on the invitation of a headman. It was decided that I was too important a guest to feed with the harem. I was to rank as a man and feed with the chiefs. But in order to comply with their sense of fitness I was helped last of all, even after my horse-boy. And so honour was satisfied. The women waited at table—unveiled—but I did not enter their apartment and had no communication with them.

A [576]

Among the Christian Mirdites at the house of the Kapetan, where I was treated with great honour, the younger men of the family waited at table, as did Chaucer's Squire, and no woman was allowed to come near me at all. I heard a giggling crowd trying to get a peep at me through the crack of the door, but they were chivied away by a male, and my suggestion that I should see them was met by the statement that they were too modest.

2: Durham B-5 (ca. 1910)1928 EG1 Albania EG1
Montenegrins EF5
Balkan Peoples E13
Historical Yugoslavia EF2

new metal and so give an impulse to the vast iron industry upon which the whole of our present material civilization is based. But into this prehistory we cannot now enter. The epoch-making discoveries of the Austrian experts attached to the Serajevo Museum require a volume to themselves, and can be studied in the volumes of the *Wissenschaftliche Mittheilungen aus Bosnien und der Hercegovina*. In his *Voyage en Bosnie*, 1807–1808, Chaumette-des-Fossés says: "The mines which abound in this country would become under another government an inexhaustible source of wealth. . . . That which has always contributed to the wealth of Bosnia and, at the present time, has become its principal branch of industry are the numerous iron mines. The most considerable are near Foinitza and Cressevo. They employ more than two thousand workers, of whom one-third are Catholics and the rest gipsies." According to this report the Orthodox Serbs did not work in the mines.

Iron being such a very ancient Balkan industry, it is strange to find that the bulk of the Balkan populations still consider iron-working as most degrading. When I travelled, the tide of foreign blue-enamelled ironware was only beginning to set in, and iron was still worked almost entirely by gipsies a-squ[illegible] in ramshackle sheds on the outskirts of the towns of Serbia, Bosnia, Montenegro, and Albania, who, with most primitive anvil, hammer, and bellows, forged the horseshoes, hobbles, chains, ploughshares, fish-tridents, dentistry forceps, nails, and hooks commonly used by the peasants. Everyone bought their ware, and everyone looked on the gipsy as beneath contempt.

Respectable people, both Serb and Albanian, could make copper pots or cut up old petroleum canisters and fashion tin pots and other articles of them. No one who valued his reputation could hammer iron.

In 1907 I was Commissioner for Montenegro at the Balkan States Exhibition at Earl's Court, and took the Montenegrins who then came over for their first walk to see the shops. None of them had ever left their native land before. We stopped outside a large hardware shop in the Brompton Road, and the two men examined every tool and pot in the window. They then glanced inside. I shall never forget their contempt when they saw that the men behind the counter were not, as they expected, "tsrni tziganini" (black gipsies) but English.

"What!" cried the elder in horror, "Englishmen making and selling iron things!" He thought, of course, they made the goods they were selling. "I had rather see my son dead than see him sink so low as this! The English! By God, they are no better than Black Gipsies."

And, until we arrived at Whitehall and saw the Horse Guards, nothing would make him modify his opinion that the English were a "pogan

2: Durham B-5 (ca. 1910)1928 EG1 Albania EG1
Historical Yugoslavia EF2
Balkan Peoples E13
Montenegrins EF5

Some Balkan Taboos. Iron. Hair

angry and said: 'Do you dead dogs dare threaten the Roman realm? I will shave off those locks of yours and then cut off your heads.'

"He then imprisoned them for six months and released them terrified, and for some time the Avars submitted to Rome and gave no trouble."

The Nemanja kings, as seen on the frescoes at Dechani, all wore the moustache. Their beards are very small. The hair of the head is completely hidden by the crown.

To-day in the Balkans the beard is worn almost solely by the Orthodox priesthood and the Moslem dervishes and hodjas. Thus the holy men of both faiths observe the hair taboo.

Laymen in all parts where the modern fashion of clean-shaving has not penetrated always wear the moustache. Perhaps vague memories of the days when the hair was burnt as ultimate disgrace haunt the mind, for the clean-shaven man, I found, was a creature condemned and despised.

In Krsto's hut I mentioned that my brother was clean-shaven, and the company, abashed, stared at their toes and were speechless. Then someone, deeply shocked, said: "No noble family will give him a wife." And kind old Pope Gjuro, wishing to be polite, said that such things might be done in London, but in Montenegro it was better not to speak of them. Whereupon the repulsive subject was dropped.

In both Albania and Montenegro a hairless man is called by the Turkish word "Chosé." Bald heads in both lands are very rare. I never saw more than a slight thinning on the top. A really bald, shining head is thought an awful thing. We were once discussing the American regulations for emigrants. A Montenegrin who had been to America angrily denounced the injustice of the health inspectors at the landing-place. "I myself," he cried, "saw them allow a man with no hair on the top of his head—a most horrible sight—to pass. And they stopped a poor boy who had only a few little bare spots on his head and said he was diseased!"

In old Serbian ballads the hero's moustache is his glory. Mighty fine were these warriors.

> And there came five horsemen clad in black;
> At their head rode a hero upon a raven steed.
> His black moustachios reached below his shoulders
> And hung to the pistols in his sash.
> His breastplate ("toké") glittered through his moustachios
> As doth the moon when fifteen days old
> Shine through the branches of a fir-tree.
> Lo and behold, O my brother Mujo!
> Next to them come three horsemen
> Clad in white cloth and riding upon greys.
> At their head is a warrior on a grey steed,
> And his fair moustachios reach to his shoulders, etc.

2: Durham B-5 (ca. 1910)1928 EG1 Albania EG1
Historical Yugoslavia EF2

H 538 554 302 And so they follow on, each matching his horse to his immense moustache. As Krsto used to say with a sigh, "One does not see such sights nowadays."

It is noteworthy that the warriors carved on the mediæval grave-stones of Bosnia show no hair either on face or head. The work is very rude and shows no features either (Fig. 22).

A 302 In Albania, too, the moustache is very precious. My old friend Marko cherished a fine one. When he was young he declared he could easily tie its ends behind his head—the true test, he said, for a moustache.

A 776 In the fairy tales he used to tell, the villain was a "Chosé," a hairless man. They were always abominably wicked, he said.

554 The British Navy lost its prestige when clean-shaven officers appeared in Scutari in 1913.

A 302 293 554 When Marko was young and his moustache in its prime, he was kavass to the Turkish Embassy in Vienna, wore a gold-embroidered Albanian dress, and cut such a gallant figure that no less a person than one of the Rothschilds noticed him. The wealthy Jew asked the poor Albanian to quit Turkish service and be doorkeeper at the Rothschild palace. The salary offered was beyond Marko's wildest imagination. "I thought I should be a rich man," said he, "but the dog—yes, he was a dog—he told me his servants were clean-shaven and I must cut off my moustache. My moustache that I could tie behind my head! I said that not for all the gold of the Rothschilds would I cut it off." So Marko was never rich, and was never tired of telling of the insult.

So great is the respect for the moustache that the Catholic Church humours her Albanian flock, and bishops, abbots, and secular priests all wear the finest moustaches they can grow.

A [293] "If an Italian or Austrian comes here as a missionary," said a young Albanian Franciscan to me, roaring with laughter, "we shut him up till he's grown a decent moustache. It would be useless to send him to a mountain parish without one; they would hunt him out."

A 302 A great variety of head-shaves is found among both men and women of the Albanian mountains. The Catholic married women of Maltsia e Madhe shave the forehead and temples, and dye the hair black on marriage, and make their face look very large. A similar fashion is to be seen in many early Italian portraits of ladies. The Mirdite women and some of the allied groups wear a fringe over the forehead and do not dye the hair. The men of Maltsia e Madhe shave a great part of the head, and leave either one great lump on the top or two big side tufts; or they shave the back and leave the front. The temples are usually shaved, even by Scutarenes, who wear European dress.

A 292

2: Durham B-5 (ca. 1910)1928 EG1 Albania EG1
Historical Yugoslavia EF2
Serbs EF6

Some Balkan Taboos. Iron. Hair

In the Pulati mountains the head is often shaved, except for the perchin. A 302

In olden days a boy did not rank as a male till his head had been shaved. This was not done till after the ceremony of the first hair-cutting, described above. When once shaved he could be killed for blood-vengeance as male blood of the tribe. A 307 554 885

Mothers would defer the head-shave if they could for a year or two in consequence, but it was a practice not approved of.

The heads of both girls and boys are shaved in the mountains, and a fringe is left over the girl's forehead. A 302

When I was in Kosovo vilayet in 1908 I found that among the scattered Serbian peasants the heads of both girls and boys were S 302

A [302]

FIG. 23.—VARIETIES OF ALBANIAN HEAD-SHAVES

shaved. Both had a perchin, and the girls a fringe over the forehead. So soon as the girl was betrothed her hair was allowed to grow. In the rare case of her remaining unmarried I was told she would keep her head shaved. S 584 554

In the Albanian mountains, where the girls were betrothed as children, I found the hair was not allowed to grow till they were marriageable. A 584 302

Wood-ash and water in the mountains is the usual shaving mixture. Even in civilized places methods were sometimes barbaric. I watched a barber, who stood at the gates of Ragusa on a market-day, inviting incoming peasants to indulge in a shave before entering the town. The patient sat cross-legged on the ground. The barber gripped his head between his knees, spat freely on the razor blade, and set to work. A H 302